

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BIOVAIL LABORATORIES INTERNATIONAL SRL,)
a corporation of Barbados,)
Plaintiff,) C.A. No. 05-586 (GMS)
v.) C.A. No. 05-730 (GMS)
ANDRX PHARMACEUTICALS, LLC and) C.A. No. 06-620 (GMS)
ANDRX CORPORATION,) (CONSOLIDATED)
Defendants.)

STIPULATION AND ORDER

Pursuant to the Order directing the parties to file a joint submission setting forth any claim terms on which they agree (D.I. 190), the parties have further conferred and hereby stipulate, subject to the approval of the Court, that the following claim term in U.S. Patent No. 5,529,791 set forth below shall be construed as follows:

"each bead" means each and every bead that contains one or more Diltiazem salts.

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SO ORDERED this _____ day of _____, 2007.

J.